

PCT
\$FORM PTO-1390 (Modified)
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S SOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

13203

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

09/424629

INTERNATIONAL APPLICATION NO.
PCT/AU98/00396INTERNATIONAL FILING DATE
28 May 1998 (28.05.98)PRIORITY DATE CLAIMED
28 May 1997 (28.05.97) 30 May 1997 (30.05.97)

TITLE OF INVENTION

5 February 1998 (05.02.98) 19 May 1998

NUCLEIC ACID DIAGNOSTICS BASED ON MASS SPECTROMETRY OR MASS SEPARATION AND BASE SPECIFIC CLEAVAGE (19.05.98)

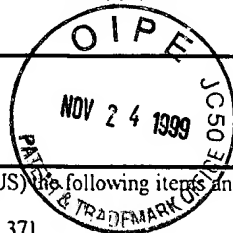
APPLICANT(S) FOR DO/EO/US

Simon Foote

Gavin Reid

Richard Simpson

Colleen Elso



Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter
18. ☒ Certificate of Mailing by Express Mail
19. ☒ Other items or information
Courtesy copy of international application
Thirteen (13) sheets of drawings

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(a)(1) - (5)) : 09/424627	INTERNATIONAL APPLICATION NO. PCT/AU98/00396	ATTORNEY'S DOCKET NUMBER 13203
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20. The following fees are submitted.

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- | | |
|--|-----------------|
| <input type="checkbox"/> Search Report has been prepared by the EPO or JPO | \$840.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) | \$670.00 |
| <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) | \$760.00 |
| <input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$970.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) | \$96.00 |

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY****\$970.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	* 32 - 20 =	12	x \$18.00	\$216.00	
Independent claims	* 5 - 3 =	2	x \$78.00	\$156.00	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	

TOTAL OF ABOVE CALCULATIONS = \$1,472.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☐

\$0.00**SUBTOTAL = \$1,472.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00**TOTAL NATIONAL FEE = \$1,472.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

\$0.00**TOTAL FEES ENCLOSED = \$1,472.00**

*Claim calculation based on claims as amended by Preliminary Amendment being filed concurrently herewith

Amount to be: refunded	\$
charged	\$

☒ A check in the amount of **\$1,472.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **19-1013/SSMP** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Leopold Presser
SCULLY, SCOTT, MURPHY & PRESSER
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

SIGNATURE

Leopold Presser

NAME

19,827

REGISTRATION NUMBER

November 24, 1999

DATE

514 Rec'd PCT/PTO

09/424629
24 NOV 1999**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Simon Foote, et al.

Docket No.

13203

Serial No.
unassignedFiling Date
herewith

Examiner

Group Art Unit
unassignedInvention: **NUCLEIC ACID DIAGNOSTICS BASED ON MASS SPECTROMETRY OR MASS SEPARATION
AND BASE SPECIFIC CLEAVAGE**I hereby certify that this New PCT Application


(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231on November 24, 1999

(Date)

Mishelle Spina

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)EM341609046US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.